

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-12127 - APPLICANT/OWNER: EL CAPITAN MHP, LLC

THIS ITEM WAS HELD IN ABEYANCE FROM THE MAY 17, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (4-3 vote/se, bg, ld) and staff recommend APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-12129) to an H (High Density) Residential land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-12128) application approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Coordinate with the Collection Systems Planning Section of the Department of Public Works to connect the sewer for this site in Bonanza Road at Lillian Street concurrent with development of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
5. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such

devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a rezoning from R-MHP (Residential Mobile Home Park) to R-5 (Apartment) on 7.27 acres at 4901 East Bonanza Road. A companion General Plan Amendment (GPA-12129) and Site Development Plan Review (SDR-12128) will be considered concurrently.

Nevada Revised Statutes Chapter 118B.183 requires that the landlord of a mobile home park give notice in writing to each tenant within 5 days after he files his application for the change in land use with the local governing body. The landlord provided notice to the mobile home park tenants on February 9, 2006 and is in compliance with this requirement.

Nevada Revised Statutes Chapter 278.0232 requires that before a mobile home park is closed or converted to any other use, the person proposing the closure or conversion shall file with the appropriate planning commission or governing body a report containing information concerning the closure or conversion of the park. The report must address the availability of comparable parks in the area and the cost of relocating a mobile home to another park.

The applicant has submitted the required report. Staff has reviewed the report and determined that it addresses the specified issues. Copies of the report are available for review at the Planning Department and are also available at today's meeting.

EXECUTIVE SUMMARY

The proposed development density of 47.87 units per acre is compatible with the commercial development to the north, east and west and the multi-family development to the south. Bonanza Road is designated by the Master Plan of Streets and Highways as a 100 foot Primary corridor and will provide adequate access to the site.

BACKGROUND INFORMATION

A) Related Actions

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| 1962 | The subject site was developed as a mobile home park. |
| 04/28/83 | The Board of Zoning Adjustment approved a variance to allow a fence height of nine feet where six feet is the maximum height allowed. |

04/13/06 The Planning recommended approval a companion General Plan Amendment (GPA-12129) and Site Development Plan Review (SDR-12128) concurrently with this application.

04/13/06 The Planning Commission voted 4-3/se, ld, bg to recommend APPROVAL (PC Agenda Item #15/ar).

B) Pre-Application Meeting

02/14/06 Staff explained the requirements for a Rezoning application.

C) Neighborhood Meetings

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting for the related General Plan Amendment (GPA-12129) is required to be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on March 14, 2006 a neighborhood meeting sponsored by the applicant was held at the Las Vegas Senior Community Center located at 451 East Bonanza Road. Five people attended and had questions about what will happen to them when the mobile home park closes.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres	7.27 Acres
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B) Existing Land Use

Subject Property	Mobile Home Park
North	Right of Way (Bonanza Road)
South	Condominiums
East	Shopping Center
West	Mini-storage Facility

C) Planned Land Use

Subject Property	ML (Medium Low Density Residential)
North	Right of Way (Bonanza Road)
South	M (Medium Density Residential)
East	SC (Service Commercial)
West	SC (Service Commercial)

D) Existing Zoning

Subject Property	R-MHP (Residential Mobile Home Park)
North	Right of Way (Bonanza Road)
South	R-3 (Medium Density Residential)
East	C-1 (Limited Commercial)
West	C-1 (Limited Commercial)

<i>SPECIAL DISTRICTS/ZONES</i>	YES	NO
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE		X

<i>EXISTING ZONING</i>	<i>PERMITTED DENSITY</i>	<i>PROPOSED ZONING</i>	<i>PERMITTED DENSITY</i>	<i>GENERAL PLAN</i>	<i>PERMITTED DENSITY</i>
R-MHP	10.89 du/ac	R-5	Unlimited	Proposed H	25+ du/ac

The proposed rezoning will allow residential densities exceeding 25 units per acre.

ANALYSIS

A) Zoning Code Compliance

The development standards for a proposed condominium development on the subject property are fully addressed in an accompanying Site Development Plan Review (SDR-12128).

B) General Analysis and Discussion

The subject request is to rezone the subject property from R-MHP (Residential Mobile Home Park) to R-5 (Apartment) to permit the development of a proposed 348 unit, 4 story condominium development on 7.27 acres. At a resulting 47.87 Units per acre of development density, the subject request is compatible with the existing commercial areas to the east and west of the subject site.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The subject property is designated ML (Medium Low Density Residential) on the Southeast Sector Plan map of the General Plan. The ML land use designation permits a density of development of up to 8 dwelling units per acre. For this reason, an accompanying request has been submitted for an amendment to the General Plan to reclassify the property to H (High Density Residential). The subject rezoning request would be permitted in the H land use district.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The subject request for R-5 (Apartment) zoning is to permit a 348 unit, 4 story condominium development. The density of development is consistent with the commercial development to the north, east and west and the multi-family development to the south.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

The subject property abuts Bonanza Road, a primary arterial street that carries a substantial volume of vehicular traffic. There is commercial development to the north, east and west, and multi-family development to the south.

The present zoning classification is intended for a environment consistent with single-family development. The area has changed substantially since the mobile home park was developed, making the subject request appropriate.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

Bonanza Road is designated by the Master Plan of Streets and Highways as a 100 foot Primary corridor and will provide adequate access to the site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

5

ASSEMBLY DISTRICT 14

SENATE DISTRICT 2

NOTICES MAILED 257 by Planning Department

APPROVALS 0

PROTESTS 0